

# **EXHIBIT D**

## **Chart**

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Paragraph	Allegation	Defendant's Argument	Answer	Related to the Original Complaint or Allegation based on Retaliation
¶2	Allegations pertaining to: an SSA/EAP Counselor; the Special Agent in Charge; and retaliation claims	Not raised in the First EEO Complaint	Defendant admits	Facts like and related to the EEO complaint filed; relating to HWE and retaliation originating from first EEO
¶3	Pattern and practice/ failure to investigate	Not Raised in Any EEO Complaint	Defendant Denies	Facts like and related to the EEO complaint filed because it relates to the named FBI EM who later retired with full benefits despite the allegations made in the First EEO
¶4	Allegations pertaining to: Bennet Rouse, Failure to investigation	As to Bennett and Rouse, not raised in the First EEO Complaint; as to remaining item, not raised in any EEO complaint	Defendant Denies	Facts like and related to the first EEO because all individuals are named in the first EEO; allegation of harassment, HWE and retaliation.
¶8-9	Second EEO complaint	Untimely- 180 days had not passed before filing suit	Defendant admits in part and denies in part	The Facts of Second EEO are like and related to the First EEO because they involve the same individuals, at the same location, during an ongoing time frame; judicial efficiency to have claims herein.

¶ 17-19	Interviewing for LVD position and inquiry re: JTTF	Not Raised in any EEO Complaint	Defendant admits all but the second sentence in paragraph 19	Facts like and related to the EEO complaint filed; Information that grows out of First EEO allegations 1, 2, and 3.
¶ 20	Interview for Salt Lake City Division	Not Raised in any EEO Complaint	Defendant neither admits nor denies	Facts like and related to the EEO complaint filed because it shows how Plaintiff ended up in the LVD (by not taking the Salt Lake City Division job).
¶ 21-27	Initial selection for Squad 11 position, reassignment to Squad 9 and timeline of relocation	Not Raised in any EEO Complaint	Defendant admits in part and denies in part	Facts like and related to the EEO complaint filed; Information that grows out of First EEO allegations 1, 2, and 3.
¶ 28	SAC Rouse's reference to LVD as kingdom	Not Raised in any EEO Complaint	Defendant neither admits nor denies	Facts like and related to the First EEO Complaint; HWE
¶ 39	Denial of Request to participate in February 2020 Inspection	Time barred	Defendant admits in part and denies in part	Referenced in First EEO; Scope of EEO Charge for Retaliation
¶ 45	Request for Interview in Las Vegas FOI	Not Raised in any EEO Complaint	Defendant admits in part and denies in part	Facts like and related to the EEO complaint filed; occurred during the time period of the First EEO Complaint
¶ 46-48	Contacting EAP Counselor	Not Raised in any EEO Complaint	Defendant denies	Facts like and related to the EEO complaint filed; EAP was contacted for claim of sexual harassment and EEO Complaint was filed as a result of inaction of EAP.

¶53	Wearing hair down and jeans	Not Raised in any EEO Complaint	Defendant denies	Facts like and related to the First EEO complaint filed; FBI had duty to correct hostile work environment
¶58	OIG complaints	Not Raised in any EEO Complaint	Defendant admits in part and denies in part	Facts like and related to the First EEO complaint filed. Basis of OIG Complaint was sexual harassment, HWE and gender discrimination as described in First EEO
¶59	April 15, 2020 alleged failure to perform check ins	Not raised in First EEO Complaint	Defendant denies	Facts like and related to the First EEO complaint filed; Retaliation; Judicial Efficiency; Equitable Relief
¶60	Alleged failure of ASAC Santana to contact the USAO office	Not Raised in any EEO Complaint	Defendant denies	Facts like and related to the First EEO complaint filed; Retaliation
¶62	Failure to approve investigative technique	Not raised in First EEO Complaint	Defendant denies	Facts like and related to the First EEO complaint filed; Retaliation; Judicial Efficiency; Equitable Relief
¶63	Cucinotta's alleged influence on Plaintiff's performance	Not Raised in any EEO Complaint	Defendant denies	Facts like and related to the First EEO complaint filed; Retaliation
¶64	Allegations pertaining to Johnson	Not Raised in any EEO Complaint	Defendant denies	Facts like and related to the First EEO complaint filed

¶65, 67-72	Allegations pertaining to Rouse and program recognition	Not raised in First EEO Complaint	Defendant admits in part and denies in part	Facts like and related to the EEO complaint filed; Retaliation
¶73-77	Events beginning Sept. 21, 2020 (JFTTF Board meeting) and extending through end of 2020 (acting ASAC assignment)	Not Raised in any EEO Complaint	Defendant admits in part and denies in part	Facts like and related to the EEO complaint filed
¶78-83	SAC lack of recognition, denial of opportunities for ancillary duties	Not raised in First EEO Complaint and, as to ancillary duties, time barred	Defendant admits in part and denies in part	Facts like and related to the EEO complaint filed; Retaliation; Judicial Efficiency; Equitable Relief
¶84-87	Communications with SSA Bennett	Not raised in First EEO Complaint	Defendant admits in part and denies in part	Facts like and related to the EEO complaint filed; HWE, Failure as EAP that was contacted before First EEO; Judicial Efficiency; Equitable Relief
¶88, 104-105, 106, 109-111, 120, 124-125	Allegations pertaining to investigations of complaints	Not Raised in any EEO Complaint	Defendant admits in part and denies in part	Facts like and related to the EEO complaint filed; HWE, Retaliation, Failure to cure acts of sexual harassment
¶89	Plaintiff's applications to other positions	Not raised in First EEO Complaint and time barred	Defendant admits in part and denies in part	Facts like and related to the EEO complaint filed; HWE; Judicial Efficiency; Equitable Relief
¶90	Retaliation	Not raised in First EEO Complaint	Defendant denies	Facts like and related to the EEO complaint filed; Retaliation; Judicial Efficiency; Equitable Relief

¶¶91-102, 108, 115, 119	Communications/Interactions with SSA Bennett	Not raised in First EEO Complaint	Defendant admits in part and denies in part	Facts like and related to the EEO complaint filed; HWE; FBI Failure to Correct the Sexual Harassment; Judicial Efficiency; Equitable Relief
¶103	Applications for jobs in Feb/March 2021	Not Raised in any EEO Complaint	Defendant denies	Facts like and related to the EEO complaint filed; HWE
¶107	March 31, 2021 email from Plaintiff re requests for assistance	Not Raised in any EEO Complaint	Defendant admits in part and denies in part	Facts like and related to the EEO complaint filed; HWE; Retaliation
¶112-113	Allegations pertaining to compensatory leave request in May 2021	Not Raised in any EEO Complaint	Defendant admits in part and denies in part	Facts like and related to the EEO complaint filed; Retaliation
¶114	Rouse questioning Plaintiff about her absence from meeting	Not raised in First EEO Complaint	Defendant admits in part and denies in part	Facts like and related to the EEO complaint filed; HWE
¶116-117	Allegations pertaining to Rouse and unnamed Executive Management members beginning July 7, 2021	Not raised in First EEO Complaint	Defendant denies	Facts like and related to the EEO complaint filed; Retaliation; Judicial Efficiency; Equitable Relief
¶120-123	Claims pertaining to retaliation, and claims pertaining to Rouse	Not raised in First EEO Complaint	Defendant denies	Facts like and related to the EEO complaint filed; Retaliation; Judicial Efficiency; Equitable Relief